

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF WISCONSIN

In the Matter of the Search of

Case Number: 12-834M (NJ)

A USPS Express Mail Envelope measuring approximately 15 1/2" x 11" x 2" 1 lb. and weighing 10 oz. The parcel bears a handwritten label addressed to Steve Dinwiddie, P.O. Box 833, Truckee, CA 96160, with a return address of Adam Christiansen, 724A E. Center St., Milwaukee, WI. The parcel was postmarked on March 20, 2012 at West Bend, WI 53095.

APPLICATION & AFFIDAVIT FOR SEARCH WARRANT

I, Daniel J. Kakonis, a federal law enforcement officer, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property:

A USPS Express Mail Envelope measuring approximately 15 1/2" x 11" x 2" 1 lb. and weighing 10 oz. The parcel bears a handwritten label addressed to Steve Dinwiddie, P.O. Box 833, Truckee, CA 96160, with a return address of Adam Christiansen, 724A E. Center St., Milwaukee, WI. The parcel was postmarked on March 20, 2012 at West Bend, WI 53095.

located in the Eastern District of Wisconsin there is now concealed: **Please see attached affidavit, which is hereby incorporated by reference.**

The basis for the search warrant under Fed. R. Crim. P. 41(c) is which is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of a crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Title 21, United States Code, Sections 843(b).

The application is based on these facts:

- ☒ Continued on the attached sheet, which is incorporated by reference.
- ☐ Delayed notice of ____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Sworn to before me, and signed in my presence.

Date March 21, 2012

City and state: Milwaukee, Wisconsin

Applicant's signature

Name and Title: Daniel J. Kakonis Postal Inspector

Judge's signature

THE HONORABLE NANCY JOSEPH

United States Magistrate Judge

Name & Title of Judicial Officer

AFFIDAVIT

I, Daniel J. Kakonis, being duly sworn on oath, state as follows:

1. I am a United States Postal Inspector currently assigned to the Milwaukee Field Office of the United State Postal Inspection Service. I have been employed as a Postal Inspector for over 24 years. My primary duties include investigating the transportation of controlled substances or proceeds/payments through the U. S. Mail. As a Postal Inspector, I have been involved in hundreds of investigations of narcotics trafficking through the United States mail. Based upon my experiences as a federal law enforcement officer, I know that the United States mails are often used to deliver controlled substances and payment/proceeds thereof.

2. The information contained in this affidavit is either the result of personal observations and investigation, the review of law enforcement files or records, postal records, or has been relayed to me by other law enforcement agents or citizen witnesses, all of whom I believe to be reliable.

3. I have not included in this affidavit each and every fact known to me regarding this investigation, but only those relating to determining whether there is probable cause to believe that items seized will be found in the places to be searched and whether those items are evidence of the offenses identified in this affidavit.

PURPOSE OF AFFIDAVIT

4. This affidavit is made in support of a search warrant for the SUBJECT PARCEL described below in paragraph 5, for items which constitute the fruits, instrumentalities, and evidence of violations of Title 21, United States Code, Sections 841(a)(1) (Distribution and Possession with Intent to Distribute a Controlled Substance)

and 843(b) (Unlawful Use of a Communication Facility (including the mails) to Facilitate the Distribution of a Controlled Substance).

PARCEL TO BE SEARCH

5. This affidavit is made in support of an application for a search warrant for a United States Postal Service Express Mail Parcel bearing label number EI174788367US (the "SUBJECT PARCEL"). The SUBJECT PARCEL is a USPS Express Mail Envelope, measuring approximately 15 1/2" x 11" x 2" and weighs 1 lb., 10 oz. The parcel bears a handwritten label addressed to Steve Dinwiddie, P.O. Box 833, Truckee, CA 96160, with a return address of Adam Christiansen, 724A E. Center St., Milwaukee, WI. The SUBJECT PARCEL was postmarked on March 20, 2012 at West Bend, WI 53095.

ITEMS TO BE SEIZED

6. The following are items to be seized from the SUBJECT PARCEL, which constitutes the fruits, instrumentalities, and evidence of violations of Title 21, United States Code, Sections 841(a)(1) (Distribution and Possession with Intent to Distribute a Controlled Substance) and 843(b) (Unlawful Use of a Communication Facility, including the mails, to Facilitate the Distribution of a Controlled Substance):

- a. Any controlled substance
- b. Currency, money orders, bank checks, or similar monetary instruments in quantities over \$100

INVESTIGATION OF THE SUBJECT PARCEL

7. I review express mail labels delivered to and sent from the Milwaukee area to source narcotic areas. I know based on my training and experience that drug traffickers will often use express mail service, which is the USPS overnight/next day

delivery product. Drug traffickers use the express mail delivery services because of their speed, reliability, and the ability to track the article's progress to the intended delivery point.

8. I am aware that California is a common source area for controlled substances. As such, controlled substances are frequently transported from California via the United States Mail, and the proceeds from the sale of the controlled substances are frequently returned to California via the United States Mail. These proceeds are generally in large amounts of money, over \$100.

9. I know from my experience and training that drug traffickers often use fictitious or incomplete names and/or addresses in an effort to conceal their identity from law enforcement officers when mailing narcotics.

10. In my review of previously delivered express mail labels, I have identified 5 prior mailings related to the SUBJECT PARCEL. The following is a detailed list of the Express Label mailings associated with the addresses on the SUBJECT PARCEL:

- a. On 2/03/12, a 4 lb. 9 oz. Express Mail package bearing label number EI331181972US was mailed from California and addressed to Adam Christionson, 724 East Center Street, Milwaukee, WI 53211. This package bore a return address of Sound Fusion, Inc., 245 Garfield Street, Auburn, CA 95603. I researched Accurint, which is a public information database utilized by law enforcement that provides names, addresses, telephone numbers, and other identifying information. The business name "Sound Fusion, Inc." was not associated with 245 Garfield Street, Auburn, CA 95603. The last name "Christionson," or any version of the common spelling of "Christianson," or "Christiansen," was not associated with any unit at 724 E. Center St., Milwaukee, WI.
- b. On 2/13/12, a 6 oz. Express Mail package bearing label number EG233330084US was mailed from Milwaukee, WI 53211 and addressed to Steve Dinwiddie, P.O. Box 833, Truckee, CA 96160. This package bore a return address of Adam Christiansen, 724 E. Center St., Milwaukee, WI 53211. Accurint showed the name Steve Dinwiddie is associated with P.O. Box 833, Truckee, CA. The last name "Christiansen" was not associated with any unit at 724 E. Center St.,

Milwaukee, WI. USPS records show the correct zip code for the Milwaukee address is 53212.

- c. On 2/17/12, a 4 lb. 2.4 oz. Express Mail package bearing label number EI092907394US was mailed from California and addressed to Adam Christionson, 724A E. Center Street, Milwaukee, WI 53212. This package bore a return address of Chris Tunnelson, 690 Pacific Blvd., Oceano, CA 93445. USPS records show the address 690 Pacific Blvd, Oceano, CA does not exist. The last name "Christionson," or any version of the common spelling of "Christianson," or "Christiansen," was not associated with any unit at 724 E. Center St., Milwaukee, WI.
- d. On 2/24/12, a 9.6 oz. Express Mail package bearing label number EG233330288US was mailed from Milwaukee, WI 53211 and addressed to Steve Dinwiddie, General Delivery, Auburn, CA 95603. This package bore a return address of Adam Christiansen, 724A E. Center St., Milwaukee, WI 53212. Accurint did not show the last name "Dinwiddie" associated with Auburn, CA. The last name "Christiansen" was not associated with any unit at 724 E. Center St., Milwaukee, WI.
- e. On 3/08/12, a 13 oz. Express Mail package bearing label number EG365185103US was mailed from Milwaukee, WI 53211 and addressed to Steve Dinwiddie, P.O. Box 833, Truckee, CA 96160. This package bore a return address of Adam Christiansen, 724 East Center St., Milwaukee, WI 53212. Accurint showed the name Steve Dinwiddie is associated with P.O. Box 833, Truckee, CA. The last name "Christiansen" was not associated with any unit at 724 E. Center St., Milwaukee, WI.

11. On March 20, 2012, Inspector Kakonis saw the SUBJECT PARCEL while reviewing outgoing Express Mail packages at the Milwaukee Post Office. Inspector Kakonis picked up the parcel described in paragraph 5 and made arrangements to bring a narcotics detecting canine from the Milwaukee Police Department to the Milwaukee Postal Inspection Service Office. On March 20, 2012, I met with Milwaukee Police Detective Eugene S. Nagler and his canine "Duke," who are trained and certified in the detection of dangerous drugs by the North American Police Work Dog Association. Detective Nagler and Duke were originally certified on June 25, 2004, and are recertified annually with a recent recertification on June 6, 2011. The controlled substances they are

certified in detecting include marijuana, heroin, and cocaine. Detective Nagler stated Duke has alerted, over 500 times including training, to the presence of controlled substances he is trained to detect. Duke's alerts have been the basis for more than 100 search warrants, and more than 100 searches of motor vehicles. In addition, according to Inspection Service records Duke has successfully alerted to controlled substances on U.S. Mail parcels and letters on 84 occasions since February of 2008, for a success rate of 100%. Detective Nagler informed me that Duke's alert indicates the presence of controlled substances or other items, such as proceeds of controlled substances, which have been recently contaminated with, or associated with, the odor of one or more controlled substances.

12. On March 20, 2012, I placed the aforementioned parcel on the floor in the Milwaukee Postal Inspection Service Office with five other similar parcels. Duke alerted on the parcel addressed to Steve Dinwiddie, P.O. Box 833, Truckee, CA 96160, as described in paragraph 5 above, by scratching and biting at it. Detective Nagler advised these actions are consistent with Duke detecting the odor of controlled substances. Duke did not alert on any of the other five parcels.

13. I believe that based upon the evidence described above, there is probable cause to indicate that the contents of the SUBJECT PARCEL, addressed to Steve Dinwiddie, P.O. Box 833, Truckee, CA 96160, is drug related, and thus constitutes the fruits, instrumentalities, and evidence of violation of Title 21, United States Code, Sections 841(a)(1) (Distribution and Possession with Intent to Distribute a Controlled Substance) and 843(b) (Unlawful Use of a Communication Facility, including the mails, to Facilitate the Distribution of a Controlled Substance).